IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE DR JUSTICE G.YETHIRAJULU**

**WRIT PETITION NO : 18013 of 2004**

Between:

S. Khader Basha, S/o. Syed Saheb,
Office of Divisional Engineer, Transformers Division, Cuddapah.

**... PETITIONER**

AND

1 The Superintending Engineer, A.P.S.P.D.C.L., Vidyut Bhavan, Cuddapah.
2 The Chairman and Managing Director, APSPDCL, Tirupathi.
3 The Chief General Manager, Human Resources Development,
APSPDC Ltd., Tirupathi.

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a Writ, or order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not considering the representation dated 20.5.2004 of the petitioner to promote him from the post of Bill Collector to the Post of L.D.C. with effect from 16.7.1972 on completion of minimum of five years of service as Bill collector as per service regulations is illegal, arbitrary and violation of Art. 14 of the constitution of India, consequently direct the respondents to consider the representation dated 20.5.2004 of the petitioner to promote him to the post of LDC. from the Bill collector, with effect from 16.8.1972 on completion of minimum five years of service as Bill collector as per service regulations

**Counsel for the Petitioner: MR.K.V.SUBBA REDDY**

**Counsel for the Respondents: MR.S.RAVINDRANATH SC FOR APSEB**

**The Court at the stage of admission made the following order:**

**ORDER:**

The petitioner claims the he was appointed as a Bill Collector on 16.08.1967 in the respondent company when it was APSEB. He completed five years of service on 16.08.1972 and is eligible to be promoted as LDC. But the petitioner was promoted as LDC on 16.07.1976.

Petitioner contends that he is entitled to get the benefit of promotion with effect from 16.08.1972. He further contends that his junior by name Sri. C.V. Ganesan, who is at Sl.No.79 in the seniority list, was given the benefit of promotion with effect from 26.09.1972. But the petitioner, who is at Sl.No.72 of the seniority list of 05.07.1974, was not given the benefit of promotion with effect from 16.08.1972.

Petitioner submits that he made a representation to the third respondent on 20.05.2004 requesting the third respondent to extend him the benefit of promotion as LDC with effect from 16.08.1972. Since the third respondent did not pass any orders on his representation the petitioner approached this Court through this writ petition seeking a direction to the third respondent to consider his representation for promotion as LDC.

In the light of the submissions made by the petitioner, the third respondent is

directed to consider the representation of the petitioner dated 20.05.2004 and pass appropriate orders regarding his request for promotion with effect from 16.08.1972 by keeping in view the promotion given to his junior, Sri. C.V. Ganesan, within two months from the date of receipt of this order.

The writ petition is accordingly disposed of. No order as to costs.

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Dr. G. YETHIRAJULU, J

October 6, 2004

Dsk

To

1 The Superintending Engineer, A.P.S.P.D.C.L., Vidyut Bhavan, Cuddapah.
2 The Chairman and Managing Director, APSPDCL, Tirupathi.
3 The Chief General Manager, Human Resources Development, APSPDC Ltd., Tirupathi.

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